

20. (Twice Amended) An electric machine comprising:

a commutator;

at least one brush, wherein a collector-side end face of the at least one brush has a plurality of channels; and

a supply of lubricant for providing lubrication between the commutator and the at least one brush,

wherein the at least one brush contains the lubricant at a location which is at least one of: (a) in or on the collector-side end face of the at least one brush, and (b) in or on a partial length of the at least one brush beginning at the collector-side end face of the at least one brush, wherein the channels are open at each end along the collector-side end face.

REMARKS

The Applicants would like to thank Examiner Le for discussing the proposed amendment on December 18, 2001 and for his invaluable advice. Claims 6 and 10-24 are pending in the present application. Applicants have amended Claims 15 and 20, and this amendment is not intended to overcome any application of prior art and nor is it intended to limit the scope of the claim in any manner. No new matter has been added. It is respectfully submitted that all of the presently pending claims are allowable, and reconsideration of the present application is requested for at least the following reasons.

The Rejection of Claims 15, 20, 21 and 24 under 35 U.S.C. § 102(b) should be withdrawn

Claims 15, 20, 21 and 24 stand rejected under 35 U.S.C. § 102(b). The Patent Office has contended that these claims are anticipated by Burr (U.S. Patent No. 2,172,045). Applicants respectfully submit that this rejection should be withdrawn for at least the following reasons.

In order to render a claim anticipated under § 102, a single prior art reference must disclose each and every element of the claim in exactly the same way. See Lindeman Maschinenfabrik v. American Hoist and Derrick, 730 F.2d 1452, 1458 (Fed. Cir. 1984). Burr does not disclose each and every element of the claimed invention.

Burr is directed to a brush 1 having narrow recesses or slots 2 filled with insert or filler 3. However, there is no disclosure in Burr that the plurality of channels (31) along the collector